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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOHN DOE #1 AND JOHN DOE #2,

Plaintiffs,

vs.

TWITTER, INC.,

Defendant.

Case No.: 3:21-cv-00485-JCS

**PLAINTIFFS' EX PARTE APPLICATION
FOR EXTENSION OF LENGTH FOR
MEMORANDUM OF LAW IN
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS; DECLARATION
OF PAUL A. MATIASIC; [PROPOSED]
ORDER**

Plaintiffs, John Doe #1 and John Doe #2, by and through undersigned counsel, pursuant to United States District Court for the Northern District of California Local Rule 7-3(a), respectfully move this Court for a ten (10) page extension of length for Plaintiffs' response to Defendant's Motion to Dismiss Plaintiffs' First Amended Complaint (ECF No. 48) ("Motion to Dismiss"). In support, Plaintiffs submit:

1. On May 7, 2021, Defendant filed its Motion to Dismiss Plaintiffs' First Amended Complaint (ECF No. 48).

2. Per the Court's order dated February 3, 2021 (ECF No. 43), Plaintiffs' opposition memorandum of law filing deadline is June 7, 2021 and must be twenty-five pages or less in length, pursuant to Local Rule 7-3(a).

3. Due to the length and complexity of the issues, Plaintiffs need an additional ten (10) pages to properly and thoroughly respond to the issues raised in Defendant's Motion to Dismiss.

4. Additionally, much of Plaintiffs' current draft of their opposition memorandum of law consists of direct quotes and paraphrases of portions of Defendant's Motion to Dismiss, in order to directly and sufficiently address arguments the Defendant has made.

WHEREFORE, Plaintiffs, John #1 and John Doe #2, respectfully request the Court to enter an Order granting Plaintiffs an additional ten (10) pages for Plaintiffs' opposition memorandum of law to Defendant's Motion to Dismiss.

Respectfully submitted this 4th day of June, 2021.

Dated: June 4, 2021

By: /s/ Paul A. Matiasic
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DECLARATION OF PAUL A. MATIASIC

I, Paul A. Matiasic, declare as follows:

1. I am an attorney duly licensed to practice law before all of the courts of the State of California. I am a Shareholder at The Matiasic Firm, P.C., co-counsel of record for Plaintiffs John Doe #1 and John Doe #2 in the above captioned matter. I have personal knowledge of the matters set forth in this declaration except those stated on information and belief, and as to those matters, I am informed and believe they are true. If called upon to testify, I could competently do so.

2. I make this Declaration in support of Plaintiffs' *Ex Parte* Application for Extension of Length for Memorandum of Law in Opposition to Defendant's Motion to Dismiss.

3. On June 3, 2021, I emailed Kyle Wong and Linh Nguyen, counsel for Defendant, to request Defendant's stipulation to this page length request.

4. Having not heard back, on June 4, 2021 I called both Kyle Wong and Linh Nguyen and left voicemails to request their client's stipulation.

5. At 11:23 a.m. on June 4, 2021, I received an email response from Kyle Wong setting forth Twitter's position that there is no need to deviate from the page limits set by the Local Rules and accordingly, Twitter opposes Plaintiffs' request.

6. A true and correct copy of the aforementioned email exchange is attached hereto as Exhibit A.

I, Paul A. Matiasic, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on this 4th day of June, 2021.

/s/ Paul A. Matiasic
Paul A. Matiasic

Exhibit A

RE: Doe v. Twitter - 21cv0485-JCS (N.D. Cal. 2021)

Wong, Kyle <kwong@cooley.com>

Fri 6/4/2021 11:23 AM

To: PAUL MATIASIC <matiasic@mjlawoffice.com>

Cc: Nguyen, Linh <lknghuyen@cooley.com>

Hi Paul,

I hope this email finds you well. We have considered your request, but believe there is no need to deviate from the page limits set by the Local Rules. We would accordingly oppose any additional pages for either side.

Kind regards,

Kyle

From: PAUL MATIASIC <matiasic@mjlawoffice.com>

Sent: Thursday, June 3, 2021 2:45 PM

To: Wong, Kyle <kwong@cooley.com>

Cc: Nguyen, Linh <lknghuyen@cooley.com>

Subject: Re: Doe v. Twitter - 21cv0485-JCS (N.D. Cal. 2021)

[External]

Hi Kyle,

I hope this email finds you well.

Pursuant to Local Rule 7-3(a), I am writing to ascertain whether you have any objection to allowing Plaintiffs an additional ten (10) pages for our Opposition brief to Twitter's MTD. Obviously, we are willing to afford Twitter the same courtesy in conjunction with its reply to the same.

Please let me know at your first opportunity.

Thanks in advance,

Paul

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[PROPOSED] ORDER

THE COURT FINDS that it is reasonable and necessary that Plaintiffs JOHN DOE #1 and JOHN DOE #2 file an opposition to Defendant's Motion to Dismiss that exceeds the 25-page limit set forth in Local Rule 7-3(a).

THE COURT ORDERS that Plaintiffs be allowed an additional ten (10) pages for Plaintiffs' opposition memorandum of law to Defendant's Motion to Dismiss. Plaintiffs' opposition memorandum of law shall not exceed 35 pages.

Dated: _____

Judge of the United States District Court

CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email address denoted on the Electronic Mail Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 4th day of June, 2021.

/s/ Hannah E. Mohr
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